

Notice of Allowability

Application No.

09/992,106

Examiner

Tammy T. Nguyen

Applicant(s)

HASEGAWA ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 11, 2006.
2. ☒ The allowed claim(s) is/are 1-4, 7, 8, 10-12, 15, 17-23, 25, and 26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

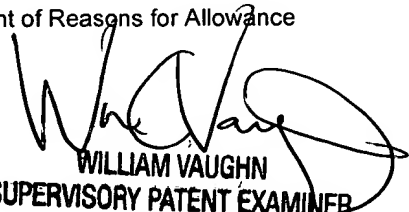
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8/2/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr Mehran Arjomand on September 13, 2006.
3. ***The applicant has been amended as follow:***

Claims 23. A computer program embodied on a computer readable storage medium comprising computer program code for causing a computer to perform a method for creating and supplying a program by means of a program creation/supply apparatus connectable with a client apparatus via a communication network, said program creation/supply apparatus not only making a program file, defining one or more items of content, available to a plurality of client apparatuses, connected to the communication network, as content on a predetermined site, but also delivering the program filed in response to a request from any one of the client apparatuses, said program creation/supply apparatus including a storage a section that stores a

plurality of items of content and a program file defining one or items of content, said method comprising:

A step of prompting the client to select one or more items of content and to input desired additional information in correspondence with the one or more items of content selected by the client apparatus, said additional information comprising a user's comment to be displayed in a client apparatus while a selected corresponding item of content is being reproduced in the client; and a step of creating a program file defined by the one or items of content selected by the client apparatus and including additional information, on the basis of content selection information and the conditional information transmitted from the client apparatus via the communication network; a step of storing the created program file in said storage section, wherein the created program file stored in said storage section is not only usable by the client apparatus having created the program file or a user of the client apparatus, but also usable by another client apparatus or a user of the another client apparatus, so that the created program file is made available as content at the predetermined site; a step of prompting a client apparatus on the communication network to select a desired program file; and a step of reading out the selected desired program file from said storage section on the basis of content selection information transmitted from the client apparatus via the communication network and transmitting the selected desired program file to the client apparatus.

Claim 25. A computer program embodied on a computer readable storage medium comprising computer program code for causing a computer to perform a method for creating and supplying a program by means of a program creation/supply apparatus connectable with a client via a communication network, said program creation/supply apparatus not only making a

program file, defining one or more items of content, available to plurality of client apparatuses, connected to the communication network, as content on a predetermined site, but also delivering the program file in response to a request from any one of the client apparatuses, said program creation/supply apparatus including a storage section that stores a plurality of items of content and a program file defining one or items of content, said method comprising: a step of receiving an item of content from the client apparatus via the communication network and additionally storing the received item of content in said storage section; a step of prompting the client apparatus to select one or more desired items of content from among the items of content, including the additionally stored item of content, stored in said storage section, and to input desired additional information in correspondence with the one or more items of content selected by the client apparatus, said additional information comprising a user's comment to be displayed in a client apparatus while a selected corresponding item of content is being reproduced in the client apparatus; and a step of creating a program file defined by the one or more desired items of content selected by the client apparatus and including additional information, on the basis of content selection information and the additional information transmitted from the client apparatus via the communication network; a step of storing the created program file in said storage section, wherein the created program file stored in said storage section is not only usable by the client apparatus having created the program file or a user of the client apparatus, but also usable by another client apparatus or a user of the another client apparatus, so that the created program file is made available as content on the predetermine site; a step of prompting a client apparatus on the communication network to select a desired program file; and a step of reading out the selected desired program file from said storage section on the basis of content selection

information transmitted from the client apparatus via the communication network and transmitting the selected desired program file to the client apparatus.

Claim 26. A computer program embodied on a computer readable storage medium comprising computer program code for causing a computer to perform a method for creating and supplying a program by means of a program creation/supply apparatus connectable with a client apparatus via a communication network, said program creation/supply apparatus not only making a program filed, defining one or more items of content, available to plurality of client apparatuses, connected to the communication network, as content on a predetermined site, but also delivering the program file in response to request from any one of the client apparatus, said program creation/supply apparatus including a storage section that stores a plurality of items of content and a program file defining one or items of content, said method comprising: a step of prompting the client apparatus to select one or more desired items of content and to input desired additional information in correspondence with the one or more items of content selected by the client in a client apparatus while a selected corresponding item of content is being reproduced in the client apparatus; a step of creating a program file defined by the one or more desired items of content selected by the client apparatus and including additional information, on the basis of content selection information and the additional information transmitted from the client apparatus via the communication network; a step of storing the created program file in said storage, wherein the created program file stored in said storage is not only usable by the client apparatus having created the program file or a user of the client apparatus, but also usable by another client apparatus or a user of the another client apparatus, so that the created program file is made available as content on the predetermined site; a step of prompting a given client

apparatus on the communication network to select a desired program file from among a plurality of program files, including the additionally stored program file, stored in said storage section; and a step of downloading ; to the given client apparatus, the selected desired program file and content defining the selected desired program file, on the basis of program file selection information transmitted from the given client via the communication network, wherein the given client apparatus can use the downloaded program file and content defining the downloaded program file on an offline basis.

Reasons for allowance

4. The following is an examiner's statement of reasons for allowance:
5. In interpreting the claims, in light of the specification and the applicant's argument filed on August 11, 2006, the examiner finds the claimed invention to be patentably distinct from the prior art of record.
6. Katz et al. (US 65,926,624), teaches a computer network based digital information library system employing authentication, targeting, and encryption protocols for the secure transfer of digital information library programs to a client computer system and a mobile digital information playback device removably connectable to the client computer system. A computer network based library and information delivery system for accessing and obtaining selected digital information files. The library and information delivery system comprising: a library server having a plurality of digital information files, a client computer system coupled to the library server over a network; and a mobile device removably connectable to the client computer system, the client computer system

including logic for requesting a download of a selected one or more of the digital information files from the library server, the client computer system further including logic for downloading the selected one or more of the digital information files to the mobile device (Katz, col.2, lines 10-30)

7. Ralph Shnelvar. (US 6,374,266), teaches a method for storing from a data source in a storage device of a data repository by reading all source allocation units, and generating a hash value for the data of each data unit read from the data source. For each data unit, a data table is searched for a table entry having a matching hash value wherein each table entry contains the hash value of a data unit stored in a repository allocation unit and a repository allocation unit pointer to the corresponding repository allocation unit. When the has value of a data unit does not match an hash value of any table entry in the data table, the data of the data unit is written into a newly allocated repository allocation unit a new table entry is written to the data table. When the has value of a data unit matches the hash value of a data entry in the data table, the data of the corresponding repository allocation unit and is compared with the data of the data unit (Shnelvar, abstract).
8. However, the prior art of record fails to teach or suggest individual or in combination that a program creation/supply apparatus connectable with a client apparatus via a communication network apparatus one or more items of content, available to a plurality of client apparatuses, connected to the communication network, as content on a predetermined site, but also delivering the program file in response to a request from any one of the client apparatuses, said program creation/supply apparatus comprising: a storage section that stores a plurality of items of content and a program file defining one

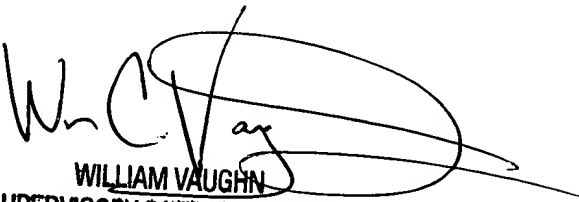
or more items of content; and a processor section coupled with said storage section and adapted to: prompt the client apparatus to select one or more items of content and to input desired additional information in correspondence with the one or more items of content selected by the client apparatus, said additional information comprising a user's comment to be displayed in a client apparatus while a selected corresponding item of content is being reproduced in the client apparatus; create a program file defined by the selected one or more items of content and including additional information, on the basis of content selection information and the additional information transmitted from the client apparatus via the communication network; store the created program file in said storage section, wherein the created program file stored in said storage section is not only usable by the client apparatus having created the program file or a user of the client apparatus, but also usable by another client apparatus or a user of the another client apparatus, so that the created program file is made available as content on the predetermined site; prompt a client apparatus on the communication network to select a desired program file; and read out the selected desired program file from said storage section on the basis of content selection information transmitted from the client apparatus via the communication network and transmit the selected desired program file to the client apparatus as set forth in independence claims 1, 17, 21, 23, 25, and 26. Claims 2-4, 7, 8, 10-12, 15, 18-20, and 22 are allowed because of the combination of other limitations and limitation listed above. [see page 7, 25, and page 31, also fig.9 of Applicant's enabling portion of the specification].

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TNN
September 7, 2006


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100